

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District Of Texas
FILED

UNITED STATES DISTRICT COURT FEB 21 2020

for the
Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

RODRIGO CARRILLO
USC
YOB: 1989

SEALED

Case No.

M-20-0467-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 3, 2019 to February 12, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. § 922(g)(1)

Offense Description

Possession of a firearm or ammunition that has been shipped or transported
in interstate or foreign commerce by a felon.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Approved:

Robert William L. AUSA
2/21/2020

Complainant's signature

Kyle O'Neal, Special Agent - FBI

Printed name and title


Sworn to before me and signed in my presence.

Date:

2/21/2020

City and state:

McAllen, Texas


Judge's signature

J. Scott Hacker, United States Magistrate Judge

Printed name and title

Attachment "A"

Affidavit in Support of Complaint

I, Kyle O'Neal, being first duly sworn, state as follows:

1. On February 12, 2020, investigators with the Federal Bureau of Investigation (FBI) listened to recorded jail calls made by Rodrigo **CARRILLO** (hereinafter "**CARRILLO**") during which **CARRILLO** made references to an object in his room that he wanted picked up by a third party. From the context of the phone calls and **CARRILLO's** criminal history, investigators believed the object in question was a firearm or narcotics.

2. Investigators traveled to **CARRILLO's** residence located in San Juan, Texas and obtained written consent to search **CARRILLO's** bedroom. Investigators located a Colt Model 2000 9mm handgun, serial number PF04109, and 12 rounds of 9mm Luger ammunition with an "R-P" headstamp in a container on a shelf. Family members present at the residence stated that they had never seen the firearm before and that it did not belong to them. **CARRILLO's** mother identified the bedroom where the firearm and ammunition were located as the bedroom belonging to **CARRILLO**.

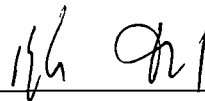
3. Investigators reviewed recorded jail calls made by **CARRILLO** after the firearm was seized on February 12, 2020 during which **CARRILLO** stated multiple times that the firearm from his room belonged to him.

4. On February 18, 2020, the Bureau of Alcohol Tobacco and Firearms (ATF) conducted research to determine whether the Colt firearm and 9mm ammunition moved in interstate and/or foreign commerce. It was ATF's determination that the firearm and ammunition were manufactured outside of the state of Texas. As such, it was the ATF's determination that the firearm and ammunition travelled in interstate and/or foreign commerce as defined by Title 18, United States Code, Section 921(a)(2).

5. **CARRILLO** is a known "Loco 13" gang member who was convicted, on October 6, 2015, in the 93rd district court of Hidalgo County, Texas in cause number CR-4305-15-B for the felony offense of Unlawful Possession of a Firearm by a Felon, a Felony 3rd Degree. **CARRILLO**

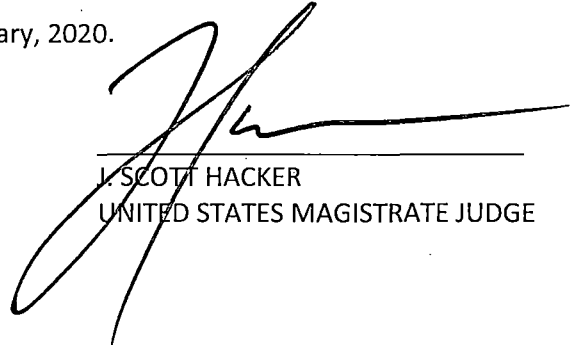
had been released on parole on June 3, 2019 and had been receiving home visits from his parole officer at 102 Sandy Street every other month. **CARRILLO's** reported address did not change for the duration of his parole. **CARRILLO** was taken into custody for violation of his parole on January 8, 2020. Investigators had contacted **CARRILLO's** parole officer to determine that **CARRILLO's** parole was revoked for multiple failed drug tests resulting in his incarceration in the Hidalgo County Jail as of February 12, 2020.

6. Based on the aforementioned factual information, your Affiant respectfully submits that **CARRILLO** did commit a violation of Title 21, United States Code Section 922(g)(1).



Kyle O'Neal
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this 21st day of February, 2020.


J. SCOTT HACKER
UNITED STATES MAGISTRATE JUDGE